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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/706,753	11/07/2000	Tsutomu Tanaka	2000-1536A	5990

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EXAMINER

LONSBERRY, HUNTER B

ART UNIT PAPER NUMBER

2611

DATE MAILED: 12/03/2003

[Handwritten signature]

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/706,753

Applicant(s)

TANAKA ET AL.

Examiner

Hunter B. Lonsberry

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 November 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☒ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-4 and 11-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 6,493,872 B1 to Rangan in view of U.S. Patent 6,571,392-B1 to Zigmond.

Regarding claims 1 and 11, Rangan discloses in Figure 7, an authoring system 51, in which an input video stream is received from headend 45, annotation data, including a URL, may be transmitted in the VBI, multiplexed with the video, over the Internet or a WAN, a WebTV is located in a users home (Figure 12) and receives both the video and annotation data stream, resynchronizes the data and displays it to the end user (column 12, line 44-column 14, line 23, column 16, lines 8-12, column 17, line 16-33, 66-column 18, line 34, column 21, lines 19-30, 46-58, column 22, lines 43-54). Rangan does not disclose utilizing a URL to indicate where the content is stored on the network, and means for fetching the content from the network. Zigmond discloses a method in figure 3, in which a receiver 201, monitors the vertical blanking interval of a currently watched program for HTML data or a URL, then utilizes the URL to retrieve HTML data from the Internet (column 5, lines 34-46, column 6, lines 24-37). Therefore, it would have been obvious to one skilled in the art at the time of invention to modify

retrieve annotation data, thus utilizing the wider bandwidth an Internet connection provides.

Regarding claims 2-4, 14 and 15, Rangan discloses that the video may be satellite video (column 6, lines 45-50), and that the annotation data may include URLs associated with an advertiser (column 17, lines 15-32). Rangan and Zigmond do not disclose a table, which includes a targeting area for a commercial and its URL. The examiner takes official notice that utilizing a table to define a targeted area for a commercial message is well known in the art, for example a targeted advertisement on a webpage in which a user's region is determined by entering a zip code. Therefore it would have been obvious to one skilled in the art at the time of invention to modify Rangan and Zigmond to include a table for targeted advertisements, thereby enabling a user to see messages that they would be most interested in.

Regarding claims 11, 12, and 21, Zigmond discloses that the second content may be retrieved and stored prior to the time period in which it needs to be displayed with the first content (Figure 3, column 7, lines 18-34).

Regarding claims 16 and 17, Rangan discloses that the video may be satellite video (column 6, lines 45-50), and that the annotation data may include URLs associated with an advertiser (column 17, lines 15-32). Zigmond discloses a method in figure 3, in which a receiver 201, monitors the vertical blanking interval of a currently watched program for HTML data or a URL, then utilizes the URL to retrieve HTML data from the Internet (column 5, lines 34-46, column 6, lines 24-37). Rangan and Zigmond do not disclose a table, which includes a targeting area for a commercial and its URL, or

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the used of a name server, which stores a table with location information. The examiner takes official notice that utilizing a table to define a targeted area for a commercial message is well known in the art, for example a targeted advertisement on a webpage in which a user's region is determined by entering a zip code. The examiner takes official notice that the use of a name server that utilizes a look up table to associate a URL with a server's IP address is well known in the art. Therefore it would have been obvious to one skilled in the art at the time of invention to modify Rangan and Zigmond to include a table for targeted advertisements, thereby enabling a user to see messages that they would be most interested in and to utilize a name server to store the URL information and transmit it to the terminal thus allowing the terminal to resolve the server associated with the URL and download the content.

Regarding claim 18, Rangan discloses that the video may be satellite video (column 6, lines 45-50), and that the annotation data may include URLs associated with an advertiser (column 17, lines 15-32). Rangan and Zigmond do not disclose receiving a table and storing only the relevant information based on the location and storing a new table. The examiner takes official notice that sorting and storing information in a table that is pertinent to a given area, such as local stations in an electronic program guide, is well known in the art. Therefore, it would have been obvious to one skilled in the art at the time of invention to modify Rangan and Zigmond to only store information pertinent to a location in a table, thus providing information, which would be of interest to a local user.

Regarding claim 19, Zigmond discloses that the second content may be retrieved and stored in local storage 304 prior to a trigger for display (column 7, lines 18-34).

Claims 5, 6, and 20, are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 6,493,872 B1 to Rangan in view of U.S. Patent 6,571,392-B1 to Zigmond in further view of U.S. Patent 5,901,339 to Saito.

Regarding claims 5, 6, and 20, Rangan discloses that the first content and annotation data may be contained within an MPEG2 video stream (column 19, lines 61-65). Zigmond discloses transmitting the supplementary content within the video stream (column 5, lines 34-46, column 6, lines 24-37). Rangan and Zigmond do not disclose transmitting the second content in the MPEG 2 video stream. Saito discloses a program viewing system in which the decode data may be transmitted over a second interface (Figure 4, column 7, lines 8-28). The examiner takes official notice that transmitting user data within a MPEG 2 video stream in the non-video portions of the stream, such as a picture header, is well known in the art. Therefore, it would have been obvious to one skilled in the art at the time of invention to modify Rangan and Zigmond to transmit the second content within an MPEG 2 data stream, and to utilize a decode key transmitted as second content, as taught by Saito, thereby enabling only an intended user to view a specific program.

Claims 7-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 6,493,872 B1 to Rangan in view of U.S. Patent 6,571,392-B1 to Zigmond in further view of U.S. Patent 5,901,339 to Saito in further view of U.S. Patent 5,559, 557 to Kato.

Regarding claims 7-9, Rangan discloses that the first content and annotation data may be contained within an MPEG2 video stream (column 19, lines 61-65). Zigmond discloses transmitting the supplementary content within the video stream (column 5, lines 34-46, column 6, lines 24-37). Rangan and Zigmond do not disclose transmitting the second content in the MPEG 2 video stream within a picture layer, GOP layer, or sequence layer. Saito discloses a program viewing system in which the decode data may be transmitted over a second interface (Figure 4, column 7, lines 8-28). The examiner takes official notice that transmitting user data within a MPEG 2 video stream in the non-video portions of the stream, such as a picture layer header, is well known in the art. Kato discloses in Figure 2, a conceptual diagram of an MPEG video stream, a video sequence layer, is made up of a group of pictures layer, which is in turn made up of a picture layer (Figure 2). Storing user data within a picture layer would also result in the user data being stored in both the GOP layer and video sequence layer as they are made up of the data stored within the picture layer. Therefore it would have been obvious to one skilled in the art at the time of invention to modify Rangan, Zigmond, and Saito to store data user data in the Picture layer, thus storing data in the GOP layer and video sequence layer, and negating the need for a second downstream connection to a user.

Claims 10, are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 6,493,872 B1 to Rangan in view of U.S. Patent 6,571,392-B1 to Zigmond in further view of U.S. Patent 6,301,663 to Kato.

Regarding claim 10, Rangan discloses that the first content and annotation data may be contained within an MPEG2 video stream (column 19, lines 61-65). Zigmond discloses transmitting the supplementary content within the video stream (column 5, lines 34-46, column 6, lines 24-37). Rangan and Zigmond do not disclose transmitting the key as embedded watermark information within an MPEG 2 video stream. Kato discloses the used of a watermark-embedding unit 25, which embeds a key, within a watermark stored within MPEG audio data (column 9, line 20-column 10, line 2). The examiner takes official notice that transmitting supplementary data within a MPEG 2 video stream is well known in the art. Therefore, it would have been obvious to one skilled in the art at the time of invention to modify Rangan and Zigmond to transmit a watermark, which contains a decryption key within an MPEG data stream, as, taught by Kato, thereby enabling only an intended user to access a specific program.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Patent 6,574,417 to Lin: Digital Video Processing and Interface System for Video, Audio and Ancillary Data.

U.S. Patent 6,173,317 B1 to Chaddha: Streaming and Displaying a Video Stream with Synchronized Annotations Over a Computer Network.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hunter B. Lonsberry whose telephone number is 703-

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305-3234. The examiner can normally be reached on Monday-Friday during normal business hours.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Faile can be reached on 703-305-4380. The fax phone number for the organization where this application or proceeding is assigned is 703-308-5359.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4700.



ANDREW FAILE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600

HBL